

**IN THE CLAIMS:**

Please amend claims 1, 2, 7-9, 17, 25, 37, 39, 41, 43, 47 and 52 as indicated in the following.

Please cancel claims 5, 6, 29 and 30 without prejudice as indicated in the following.

**Claims Listing:**

1. (Currently Amended) A method comprising ~~the steps of~~:  
determining a synchronization state of an audio data relative to a system clock;  
when the synchronization state is in a first state maintaining a current playback;  
when the synchronization state is in a second state making a first playback adjustment to  
the audio data, wherein the first playback adjustment includes performing a  
sample rate conversion of one or more audio data samples of the audio data; and  
when the synchronization state is in a third state making a second playback adjustment to  
the audio data, wherein the second state indicates a better level of synchronization  
of the audio data than the third state, and the second playback adjustment provides  
a coarser playback adjustment than the first playback adjustment.

2. (Currently Amended) The method as in Claim 1, further comprising ~~the step of~~:  
when the synchronization state is in a fourth state initializing the system clock to a  
predefined value.

3. (Original) The method as in Claim 2, wherein the predefined value is equal to a  
representation of a system clock associated with a source of data.

4. (Original) The method as in Claim 3, wherein the representation of the system clock  
associated with the source of the audio data is a program counter clock associated with MPEG-  
type data.

5. (Canceled)

6. (Canceled)

7. (Currently Amended) The method as in Claim 1, wherein the second playback adjustment[[s]] includes adjustments to PES packets.

8. (Currently Amended) The method as in Claim 7, wherein the second playback adjustment[[s]] includes repeating PES packets.

9. (Currently Amended) The method as in Claim 7, wherein the second playback adjustment[[s]] includes dropping PES packets.

10. (Original) The method as in Claim 1, wherein determining a synchronization state includes comparing a PTS value to an STC value.

11. (Original) The method as in Claim 10, wherein a difference between the PTS value and the STC value is compared to a delta value.

12. (Original) The method as in Claim 11, wherein a delta value associated with the first state indicates a time difference equivalent to playback of a single audio data sample.

13. (Original) The method as in Claim 12, wherein the time to play a single audio sample is calculated by determining an audio data type.

14. (Original) The method as in Claim 13, wherein determining the audio data type is based upon a data stream type.

15. (Original) The method as in Claim 13, wherein determining the audio data type is based upon a data stream identifier.

16. (Original) The method as in Claim 11, wherein a delta value associated with the second state indicates a range of time from the time required for playback of 2 audio samples to the time required for playback of 32 audio data samples.

17. (Currently Amended) The method as in Claim 16, wherein the time to play an audio sample[[s]] is calculated by determining an audio data type.

18. (Original) The method as in Claim 17, wherein determining the audio data type is based upon a data stream type.

19. (Original) The method as in Claim 17, wherein determining the audio data type is based upon a data stream identifier.

20. (Original) The method as in Claim 11, wherein a delta value associated with the third state indicates a range of time from the time required for playback of 1 audio frame to the time required for playback of 3 audio data frames.

21. (Original) The method as in Claim 20, wherein the time required for playing audio frames is calculated by determining an audio data type.

22. (Original) The method as in Claim 21, wherein determining the audio data type is based upon a data stream type.

23. (Original) The method as in Claim 21, wherein determining the audio data type is based upon a data stream identifier.

24. (Original) The method as in Claim 11, wherein the delta value is variable.

25. (Currently Amended) A system comprising:

a data processor having an I/O buffer;

~~a memory having an I/O buffer coupled to the I/O buffer of the data processor;~~

a first data processing component capable of maintaining playback of audio data samples according to a first state of synchronization;

a second data processing component capable of:

performing a first playback adjustment to maintain a second state of synchronization, wherein the first playback adjustment includes performing a sample rate conversion of one or more of the audio data samples;

a third data processing component capable of:

performing a second playback adjustment to maintain a third state of synchronization, wherein the second state of synchronization indicates a better level of synchronization of audio data than the third state, and the second playback adjustment provides a coarser playback adjustment than the first playback adjustment[.]]; and

a system time clock capable of ~~being used to track~~tracking presentation times associated with the audio data.

26. (Original) The system as in Claim 25, further including:

a fourth data processing component capable of initializing the system time clock to a predefined value to maintain a fourth state of synchronization.

27. (Original) The system as in Claim 26, wherein the predefined value is equal to a representation of a system clock associated with a source of data.

28. (Original) The system as in Claim 27, wherein the representation of the system clock associated with the source of the audio data is a program counter clock associated with MPEG-type data.

29. (Canceled)

30. (Canceled)

31. (Original) The system as in Claim 25, wherein the second playback adjustment includes adjustments to PES packets.

32. (Original) The system as in Claim 31, wherein the second playback adjustment includes repeating PES packets.

33. (Original) The system as in Claim 31, wherein the second playback adjustment includes dropping PES packets.

34. (Original) The system as in Claim 25, wherein operations within the data processing components are determined by comparing a PTS value to an STC value.

35. (Original) The system as in Claim 34, wherein a difference between the PTS value and the STC value is compared to a delta value.

36. (Original) The system as in 35, wherein a delta value associated with the first state indicates a time difference equivalent to playback of a single audio data sample.

37. (Currently Amended) The system as in Claim 36, wherein the time to play a single audio sample is calculated by determining based on a determination of an audio data type.

38. (Original) The system as in Claim 35, wherein a delta value associated with the second state indicates a range of time from the time required for playback of 2 audio samples to the time required for playback of 32 audio data samples.

39. (Currently Amended) The system as in Claim 11Claim 35, wherein a delta value associated with the third state indicates a range of time from the time required for playback of 1 audio frame to the time required for playback of 3 audio frames.

40. (Original) The system as in Claim 35, wherein the delta value is variable.

41. (Currently Amended) The system as in Claim 25, wherein the memory is further comprising memory operably coupled to the data processor and capable of storing code for the first, second and third data processing components.

42. (Original) The system as in Claim 25, wherein the first, second and third data processing components are represented in hardware.

43. (Currently Amended) The system as in Claim 25, wherein the first data processor processing component includes a demultiplexer.

44. (Original) The system as in Claim 25, wherein the presentation time is determined through a presentation time stamp associated with a data stream.

45. (Original) The system as in Claim 25, wherein the presentation time of the data packets are interpolated from the presentation time stamp associated with the data stream.

46. (Original) The method as in Claim 25, wherein the second data processing component is further capable of processing data packets into data samples.

47. (Currently Amended) A computer readable medium tangibly embodying a plurality of programs of instructions, the plurality of programs including:

a first data processing component capable of maintaining playback of audio data samples according to a first state of synchronization, wherein the first playback adjustment includes performing a sample rate conversion of one or more of the audio data samples;

a second data processing component capable of:

performing a first playback adjustment to maintain a second state of synchronization;

a third data processing component capable of:

performing a second playback adjustment to maintain a third state of synchronization, wherein the second state of synchronization indicates a better level of synchronization of audio data than the third state, and the second playback adjustment provides a coarser playback adjustment than the first playback adjustment.

48. (Original) The computer readable medium as in Claim 47, further including a fourth data processing component capable of initializing the system time clock to a predefined value to maintain a fourth state of synchronization.

49. (Original) The computer readable medium as in Claim 47, wherein the third data processing component is capable of controlling hardware used to process the data packets into data samples.

50. (Original) The computer readable medium as in Claim 47, wherein the second data processing component is capable of controlling hardware for processing the data samples.

51. (Original) The system as in Claim 47, wherein operations within the data processing components are determined by comparing a PTS value to an STC value.

52. (Currently Amended) A method comprising ~~the steps of~~:  
receiving an MPEG-type transport stream;  
demultiplexing the MPEG-type transport stream to generate transport packets;  
synchronizing a system time clock to a program clock reference received through the  
MPEG-type transport stream;  
determining if a PTS value associated with the ~~PES packet~~ transport packets is within a  
predefined value of the system time clock;  
when the PTS value is within the predefined value, adjusting performing a sample rate  
conversion of audio samples related to the transport packets; and  
when the PTS value is not within the predefined value, adjusting PES packets related to  
the transport packets.

53. (Original) The method as in Claim 52, wherein the transport packets are processed  
into the PES packets.

54. (Original) The method as in Claim 53, wherein the PES packets are processed into the  
audio samples.

55. (Original) The method as in Claim 52, wherein the predetermined value indicates a  
range of time from the time required for playback of 1 audio frame to the time required for  
playback of 3 audio data frames.

56. (Original) The method as in Claim 55, wherein the time required for playing audio  
frames is calculated by determining an audio data type.